

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

KINGVISION PAY-PIR-VIEW LTD.  
as Broadcast Licensee of the APRIL 17, 2004  
BYRD/GOLOTA Program,

Plaintiff,

-against-

BALDASSARE GIAIMO, et al.;

Defendants.

STIPULATION OF SETTLEMENT AND  
REQUEST FOR ADMINISTRATIVE  
DISMISSAL

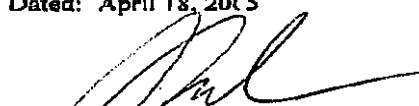
Civil Action No. CV-04-4946

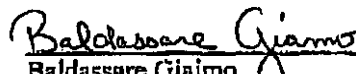
Honorable Dora Lizette Irizarry

It is hereby stipulated and agreed to by and between the parties herein that the above entitled action is hereby discontinued without prejudice and without costs to either party pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

This is based upon a settlement made between Plaintiff and the above referenced Defendant wherein the Defendant will pay a certain consideration over a period of time not to exceed February 10, 2006. ~~The Clerk's Office, in its discretion, is authorized to administratively close this portion of this case due to this settlement.~~ However, the Plaintiff specifically reserves the right, in the event of any non-payment by the Defendant named herein, to reopen and reinstate its claim against the Defendant. ~~Alternatively, upon completion of the terms of any settlement, Plaintiffs will dismiss their claim against the Defendant with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.~~

Dated: April 18, 2005

  
Julie Cohen Lonstein, Esq.  
Bar Roll No. JL852  
Lonstein Law Office, P.C.  
1 Terrace Hill, P.O. Box 531  
Ellenville, NY 12421  
Telephone: 845-647-3500  
Facsimile: 845-647-6277

  
Baldassare Giaimo  
7228 66th Street  
Ridgewood, NY 11385

SO ORDERED .. is 18<sup>th</sup> day of May 2005

HONORABLE DORA LIZETTE IRIZARRY  
UNITED STATES DISTRICT JUDGE

*This action is dismissed without prejudice. The Clerk of this Court is directed to close the file maintained in this case and to serve a copy hereof to all parties by forwarding a copy to all parties.*  
SO ORDERED.

USDJ